

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**RICHARD FICHTL,**

**Plaintiff,**

**v.**

**CASE NO: 1:22-CV-06932-JLR**

**FIRST UNUM LIFE INSURANCE  
COMPANY,**

**NOTICE OF SETTLEMENT**

**Defendant.**

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COME NOW, Plaintiff, Richard Fichtl, and Defendant, First Unum Life Insurance Company, by and through their undersigned counsel hereby notify the Court that the parties to this action have reached a confidential settlement of this matter and anticipate filing a stipulated dismissal with prejudice in the near future.

Dated: May 24, 2024

Respectfully Submitted,

ATTORNEYS DELL AND  
SCHAEFER, CHARTERED  
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/s/ Gregory M. Dell  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed with the Clerk of the Court via CM/ECF on this 24<sup>th</sup> day of May, 2024.

/s/ Gregory M. Dell  
GREGORY MICHAEL DELL

In light of this notice of settlement, Plaintiff's motion for attorneys' fees, costs, and prejudgment interest (ECF No. 47) is denied without prejudice to refiling by **June 27, 2024**, if the settlement is not consummated. To be clear, any application for fees, costs, and prejudgment interest must be filed by the aforementioned deadline; any application filed thereafter may be denied solely on that basis.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 47

Dated: May 28, 2024  
New York, New York

**SO ORDERED.**

Jennifer Rochon  
**JENNIFER L. ROCHON**  
**United States District Judge**